

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Wisconsin

MORE LIBERAL METHODS OF TREATING RESOURCES  
UNDER SECTION 1902(r)(2) OF THE ACT\*\*

**OFFICIAL**

☐ Section 1902(f) State ☒ Non-Section 1902(f) State

A. For persons in remedial or care institutions\* and SSI-related Medically Needy:

1. \$2,000 limit on household goods and personal effects - Household goods and personal effects are only counted if of unusual value.
2. First moment of the month rule for counting of resources - For an applicant - Person can become eligible any time during the month when assets are at or below limit; For a recipient - Person can maintain eligibility during the month even if resources exceed limits if the excess is used to discharge legal debts within the month or is converted to exempt resources.
3. Irrevocable burial trusts - Interest from irrevocable burial trusts is counted as an asset unless it has been specifically declared irrevocable in writing.
4. Availability of assets - Assets are not considered available unless will be available in cash within 30 days (e.g., cash value of life insurance); value is suspended until asset becomes available.
5. Exclusion of real property - Nonexempt real property is considered unavailable when the property owner lists it for sale with a realtor at its fair market value or a joint owner who is outside the fiscal test group refuses to sell the property.

B. For AFDC-related Medically Needy:

1. Exclusion of automobile - One vehicle regardless of value is totally exempt from consideration as a resource.
2. Irrevocable burial trusts - Interest from irrevocable burial trusts is counted as an asset unless it has been specifically declared irrevocable in writing.

TN No. 91-32

Supersedes

TN No. NEW

Approval Date 1-22-92

Effective Date 10/1/91

HCFA ID: 7985E

\* Includes persons in medical or remedial care institutions who are eligible under a special income level and persons in medical or remedial care institutions who would be eligible for AFDC, SSI, or an optional state supplement if they were not in a medical institution.

\*\* These policies were approved effective October 1, 1988, as part of TN #88-0037.

*Substitute page submitted by State on 12-11-91*

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
State: Wisconsin

MORE LIBERAL METHODS OF TREATING RESOURCES  
UNDER SECTION 1902(r)(2) OF THE ACT

☐ Section 1902(f) State ☒ Non-Section 1902(f) State

C. The following resource regulations apply to Working Disabled individuals as defined in Section 1902(a)(10)(A)(iii)(XIII) of the Social Security Act:

1. Up to \$13,000 of available resources plus the value of an *Independence Account* shall be disregarded.
2. A resource disregard shall be given to a working disabled individual who holds monies in an *Independence Account*. To be eligible for this resource disregard the *Independence Account* is subject to the following provisions:
  - Only deposits made after an individual's first enrollment in Medicaid under this section will be allowed as an *Independence Account*.
  - Deposits into the account must not exceed 50% of earned income in any calendar year.
  - These accounts will be held separate from non-exempt resources, in an account for which prior approval has been obtained from the Department, and for which the owner authorizes regular monitoring and/or reporting including deposits, withdrawals, and other information deemed necessary by the Department for the proper administration of this provision. The separateness requirement may be waived in the case of an employer's pension and/or a retirement account.
  - Amounts deposited and all gains, dividends or interest earned in an employer's retirement fund and an individual's IRA account after the person's first enrollment in Medicaid under this section will automatically qualify as part of an *Independence Account* if registered with the Department.
3. A spouse's resources will not be deemed to the applicant when determining whether or not the individual meets the financial eligibility requirements for SSI program under this section.